

# **EXHIBIT “E”**

**U.S. District Court  
Eastern District of New York (Central Islip)  
CIVIL DOCKET FOR CASE #: 2:11-cv-00509-JFB -AKT**

Balk v. New York Institute of Technology et al  
Assigned to: Judge Joseph F. Bianco  
Referred to: Magistrate Judge A. Kathleen Tomlinson  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 02/01/2011  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Dennis Balk**

represented by **Randy M. Kornfeld**  
Kornfeld & Associates P.C.  
570 Lexington Avenue  
17th Floor  
New York, NY 10022  
212-759-6767  
Fax: 212-759-6766  
Email: [rkornfeld@kornfeldassociates.com](mailto:rkornfeld@kornfeldassociates.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**New York Institute of Technology**

represented by **Neil G. Sparber**  
Fulbright & Jaworski L.L.P.  
666 Fifth Avenue  
New York, NY 10103-3198  
(212) 318-3000  
Fax: (212) 318-3400  
Email: [nsparber@fulbright.com](mailto:nsparber@fulbright.com)  
**ATTORNEY TO BE NOTICED**

**Samantha E Beltre**  
Fulbright and Jaworsky LLP  
666 Fifth Avenue  
New York, NY 10103  
(212)318-3451  
Fax: (212)318-4000  
Email: [sbeltre@fulbright.com](mailto:sbeltre@fulbright.com)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Infotec Corporation**

Date Filed	#	Docket Text
02/01/2011	<u>1</u>	COMPLAINT against Infotec Corporation, New York Institute of Technology Disclosure Statement on Civil Cover Sheet completed -No., filed by Dennis Balk. (Attachments: # <u>1</u> Civil Cover Sheet) (Russo, Eric) (Main Document 1 replaced on 4/5/2011) (Russo, Eric). (Entered: 02/04/2011)
02/01/2011		Summons Issued as to Infotec Corporation, New York Institute of Technology. (Russo, Eric) (Entered: 02/04/2011)
02/01/2011		FILING FEE: \$ 350.00, receipt number 4653024891 (Russo, Eric) (Entered: 02/04/2011)
02/04/2011		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 02/04/2011)
02/08/2011		ORDER. IT IS HEREBY ORDERED that the case is referred to the assigned Magistrate Judge, under Local Civil Rule 72.2, for all non-dispositive pre-trial matters. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/8/2011. (Nagiel,

		Svetlana) (Entered: 02/08/2011)
02/10/2011	<u>2</u>	SUMMONS Returned Executed by Dennis Balk. New York Institute of Technology served on 2/2/2011, answer due 2/23/2011. (Kornfeld, Randy) (Entered: 02/10/2011)
02/22/2011	<u>3</u>	Letter MOTION for Extension of Time to File Answer re <u>1</u> Complaint ( <i>unopposed by Plaintiff's Counsel</i> ) by New York Institute of Technology. (Sparber, Neil) (Entered: 02/22/2011)
02/23/2011		ORDER granting <u>3</u> Motion for Extension of Time to Answer. New York Institute of Technology answer due 3/23/2011. Ordered by Magistrate Judge A. Kathleen Tomlinson on 2/23/2011. (Reifman, Marli) (Entered: 02/23/2011)
03/23/2011	<u>4</u>	Letter MOTION for pre motion conference by New York Institute of Technology. (Beltre, Samantha) (Entered: 03/23/2011)
03/24/2011	<u>5</u>	Letter to Judge Bianco by Dennis Balk (Sibony, Oren) (Entered: 03/24/2011)
03/28/2011	<u>6</u>	Letter DATED 03-28-11 IN RESPONSE TO LETTER DATED 03-23-11 REQUESTING PRE-MOTION CONFERENCE by Dennis Balk (Sibony, Oren) (Entered: 03/28/2011)
04/05/2011	<u>7</u>	Letter concerning Courtesy Copy dated 04-05-11 by Dennis Balk (Sibony, Oren) (Entered: 04/05/2011)
04/11/2011		SCHEDULING ORDER. The Court has received defendant's letter dated March 23, 2011 requesting leave to file a motion to dismiss the complaint. The Court has also received plaintiff's response in a letter dated March 28, 2011. IT IS HEREBY ORDERED that the parties shall participate in a telephone pre-motion conference on April 21, 2011 at 3:00 p.m. At that time, defendant shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/11/2011. (Nagiel, Svetlana) (Entered: 04/11/2011)
04/21/2011	<u>8</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco: Telephone Pre Motion Conference held on 4/21/2011. Appearances: For plaintiff Randy Kornfeld present. For defendant: Neil Sparber present. Case called. Counsel for all sides present. Motion to be filed by 5/23/2011; Response due by 6/23/2011; Reply by 7/7/2011. Oral argument set for 7/27/2011 at 4:30 pm. (Tape #3:29-3:19.) (Padilla, Kristin) (Entered: 04/21/2011)
04/25/2011	<u>9</u>	CERTIFICATE OF SERVICE by Dennis Balk by registered mail return receipt requested - summons and complaint done by clerk of USDC EDNY on 4/25/11 (Bollbach, Jean) (Entered: 04/26/2011)
05/23/2011	<u>10</u>	Corporate Disclosure Statement by New York Institute of Technology (Beltre, Samantha) (Entered: 05/23/2011)
05/23/2011	<u>11</u>	MOTION to Dismiss <i>complaint</i> by New York Institute of Technology. (Beltre, Samantha) (Entered: 05/23/2011)
05/23/2011	<u>12</u>	AFFIDAVIT/DECLARATION in Support re <u>11</u> MOTION to Dismiss <i>complaint</i> filed by New York Institute of Technology. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Beltre, Samantha) (Entered: 05/23/2011)
05/23/2011	<u>13</u>	MEMORANDUM in Support re <u>11</u> MOTION to Dismiss <i>complaint</i> filed by New York Institute of Technology. (Beltre, Samantha) (Entered: 05/23/2011)
05/23/2011	<u>14</u>	AFFIDAVIT of Service for Rule 7.1 Corporate Disclosure Statement, Notice of motion to dismiss the Complaint, Affidavit of Samantha Beltre with exhibits and Memorandum of Law in Support of Motion to dismiss the Complaint served on Kornfeld & Associates, P.C. attorneys for Plaintiff on May 23, 2011, filed by New York Institute of Technology. (Beltre, Samantha) (Entered: 05/23/2011)